

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
CHARLES H. PUGSLEY ET AL.)	
)	
Serial No.: Unassigned)	Group Art Unit: Unknown
)	
Filed: Herewith)	Examiner: Unknown
)	
For: IMPERMANENT BIOCOMPAT-)	
IBLE FASTENER)	

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, Applicants disclose the following information:

1. U.S. Published Patent Application No. 2003/0088252, inventors Kaikkonen et al., published May 8, 2003;
2. U.S. Patent No. 6,503,259, inventors Huxel et al., issued January 7, 2003;
3. U.S. Patent No. 6,471,707, inventors Miller et al., issued October 29, 2002;
4. U.S. Patent No. 6,290,701, inventor Enayati, issued September 18, 2001;
5. U.S. Patent No. 6,113,609, inventor Adams, issued September 5, 2000;
6. U.S. Patent No. 6,086,600, inventor Kortenbach, issued July 11, 2000;
7. U.S. Patent No. 6,044,847, inventors Carter et al., issued April 4, 2000;
8. U.S. Patent No. 5,984,927, inventors Wenstrom, Jr. et al., issued November 16, 1999;
9. U.S. Patent No. 5,725,529, inventors Nicholson et al., issued March 10, 1998;
10. U.S. Patent No. 5,522,817, inventors Sander et al., issued June 4, 1996;
11. U.S. Patent No. 5,346,501, inventors Regula et al., issued September 13, 1994;
12. U.S. Patent No. 5,169,400, inventors Mühling et al., issued December 8, 1992;
13. U.S. Patent No. 4,889,119, inventors Jamiolkowski et al., issued December 26, 1989;
14. U.S. Patent No. 4,402,445, inventor Green, issued September 6, 1983;

15. U.S. Patent No. 4,338,926, inventors Kummer et al., issued July 13, 1982;
16. U.S. Patent No. 4,060,089, inventor Noiles, issued November 29, 1977;
17. U.S. Patent No. 3,974,835, inventor Hardy, Jr., issued August 17, 1976;
18. Published PCT Appln. No. WO 00/57796, published October 5, 2000;
19. Published PCT Appln. No. WO 00/40159, published July 13, 2000;
20. European Patent Appln. No. 0 390 613 A1, published October 3, 1990;
21. International Search Report dated December 12, 2002, from corresponding PCT Appln. No. PCT/EP02/09466; and
22. Middleton et al., "Synthetic Biodegradable Polymers as Medical Devices," Medical Plastics and Biomaterials (March 1998).

Copies of the foregoing documents are not being provided with this paper since these documents are already of record in U.S. Patent Application Serial No. 09/935,950, of which the present application claims the benefit as a continuation under 35 U.S.C. 120. These documents are, however, listed on the enclosed PTO Form FB-A820. Applicants respectfully request that the Examiner consider the above-listed documents and evidence that consideration by making appropriate notations on the enclosed form.

This submission does not represent that a search has been made or that no better prior art exists and does not constitute an admission that the above-listed documents constitute "prior art."


Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the above-listed documents, should the documents be applied against the claims of the present invention.

If there are any fees due in connection with the filing of this paper that are not accounted for, the Examiner is authorized to charge the fees to our Deposit Account No. 11-1755. If a fee is

required for an extension of time under 37 C.F.R. 1.136 that is not accounted for already, such an extension of time is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Kriegsman & Kriegsman

By: 
Edward M. Kriegsman
Reg. No. 33,529
665 Franklin Street
Framingham, MA 01702
(508) 879-3500

Dated: *November 12, 2003*

:	:	Atty. Docket No.	:	Serial No.	:
:	:	:	:	:	:
:	:	81614A	:	Unassigned	:
:	INFORMATION DISCLOSURE CITATION	:	Applicant	:	:
:	:	:	:	:	:
:	(Use several sheets if necessary)	:	CHARLES H. PUGSLEY ET AL.	:	:
:	:	:	:	:	:
:	:	Filing Date	:	Group	:
:	:	:	:	:	:
:	:	Herewith	:	Unknown	:

U.S. PATENT DOCUMENTS

*Examiner:	Document	:	:	:	:	Filing Date	:
Initial	Number	:	Date	:	Name	:	Class : Subclass: If Appropriate:
:	:	:	2003/0088252	:	5-8-03 :Kaikkonen et al.	:	:
:	:	:	6,503,259	:	01-07-03:Huxel et al.	:	:
:	:	:	6,471,707	:	10-29-02:Miller et al.	:	:
:	:	:	6,290,701	:	09-18-01:Enayati	:	:
:	:	:	6,113,609	:	09-05-00:Adams	:	:
:	:	:	6,086,600	:	07-11-00:Kortenbach	:	:
:	:	:	6,044,847	:	04-04-00:Carter et al.	:	:
:	:	:	5,984,927	:	11-16-99:Wenstrom, Jr. et al.	:	:
:	:	:	5,725,529	:	03-10-98:Nicholson et al.	:	:
:	:	:	5,522,817	:	06-04-96:Sander et al.	:	:
:	:	:	5,346,501	:	09-13-94:Regula et al.	:	:

FOREIGN PATENT DOCUMENTS

:	:	Document	:	:	:	Translation	:
:	:	Number	:	Date	:	Country	:
:	:	:	:	:	:	Class : Subclass:	:
:	:	WO 00/57796	:	10-05-00	:	PCT	:
:	:	WO 00/40159	:	07-13-00	:	PCT	:
:	:	0390613A1	:	10-03-90	:	EPO	:

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:

Examiner	:	Date Considered
----------	---	-----------------

:	:	:
:	:	:

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

:	:	Atty. Docket No.	:	Serial No.	:
:	:	:	:	:	:
:	:	81614A	:	Unassigned	:
:	INFORMATION DISCLOSURE CITATION	:	Applicant	:	:
:	:	:	:	:	:
:	(Use several sheets if necessary)	:	CHARLES H. PUGSLEY ET AL.	:	:
:	:	:	:	:	:
:	:	Filing Date	:	Group	:
:	:	:	:	:	:
:	:	Herewith	:	Unknown	:

U.S. PATENT DOCUMENTS

*Examiner:	Document	:	:	:	:	Filing Date
Initial	Number	:	Date	:	Name	Class : Subclass: If Appropriate
:	5,169,400	:	12-08-92	:	Mühling et al.	:
:	4,889,119	:	12-26-89	:	Jamiolkowski et al.	:
:	4,402,445	:	09-06-83	:	Green	:
:	4,338,926	:	07-13-82	:	Kummer et al.	:
:	4,060,089	:	11-29-77	:	Noiles	:
:	3,974,835	:	08-17-76	:	Hardy, Jr.	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

FOREIGN PATENT DOCUMENTS

:	Document	:	:	:	:	Translation
:	Number	:	Date	:	Country	Class : Subclass: Yes : No
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

:	:	:	:	:	:
:	:	:	:	:	:
:	:	:	:	:	:
:	:	:	:	:	:
:	:	:	:	:	:
:	:	:	:	:	:
:	:	:	:	:	:

Examiner	:	Date Considered
:	:	:
:	:	:

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.